

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MEYALLI A.,

Plaintiff,

v.

Civ. No. 24-483 GBW

MARTIN O'MALLEY, *Commissioner of the
Social Security Administration,*

Defendant.

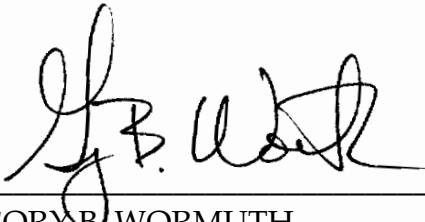
**ORDER GRANTING UNOPPOSED MOTION FOR ATTORNEY FEES PURSUANT
TO THE EQUAL ACCESS TO JUSTICE ACT**

THIS MATTER comes before the Court on Plaintiff's Unopposed Motion for Attorney Fees Pursuant to the Equal Access to Justice Act with Memorandum in Support. *Doc. 15.* The parties have stipulated to an award of \$5,796.70 in attorney fees and \$0.00 in costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412 ("EAJA").

IT IS HEREBY ORDERED that Plaintiff is awarded \$5,796.70 in attorney fees and \$0.00 in costs under the EAJA. The EAJA fees will be paid to Plaintiff but delivered to Plaintiff's attorney. *See Astrue v. Ratliff*, 560 U.S. 586, 595–98 (2010); *Manning v. Astrue*, 510 F.3d 1246, 1255 (10th Cir. 2007); *Brown v. Astrue*, 271 F. App'x 741, 743–44 (10th Cir. 2008) (unpublished).

IT IS FURTHER ORDERED that, if Plaintiff's attorney ultimately receives an award of attorney fees pursuant to 42 U.S.C. § 406(b), said attorney must refund the

smaller award to Plaintiff pursuant to *Weakley v. Bowen*, 803 F.2d 575, 580 (10th Cir. 1986).



GREGORY B. WORMUTH
CHIEF UNITED STATES MAGISTRATE JUDGE
Presiding by Consent